

9-25-06

PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/726,168
	Filing Date	December 2, 2003
	First Named Inventor	Magid A. Abou-Gharbia
	Art Unit	1617
	Examiner Name	Shengjun Wang
Total Number of Pages in This Submission	Attorney Docket Number	WYTH0107-100 (AM100146 C2)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO SB/08b (1p.); (3) References Cited, (3) References Enclosed.
Remarks EXPRESS MAIL LABEL NO: EV882726584US DATE OF DEPOSIT: September 22, 2006		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Cozen O'Connor		
Signature			
Printed Name	Michael A. Patané		
Date	September 22, 2006	Reg. No.	42,982

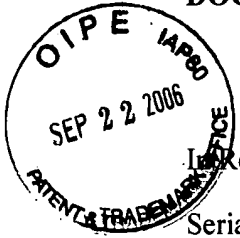
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Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DOCKET NO: WYTH0107-100 (AM100146 C2)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Magid A. Abou-Garbia et al.**

Serial No.: **10/726,168**

Group Art Unit: **1617**

Filing Date: **December 2, 2003**

Examiner: **Shengjun Wang**

For: **Methods For The Treatment and Prevention of Neurodegenerative Conditions**

EXPRESS MAIL LABEL NO: EV882726584US

DATE OF DEPOSIT: September 22, 2006

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Form SB/08B, formerly known as PTO Form 1449, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

This Supplemental Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ **before** the mailing date of a first Office Action on the merits.
- ☐ **before** the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under § 1.114.

- ☐ after the mailing date of a first Office Action on the merits or after the filing of a Request for Continued Examination under § 1.114, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or
- ☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Supplemental Information Disclosure Statement is being filed in connection with the ☐ first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), and the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p).
- ☒ Copies of the references listed on the attached PTO Form SB/08B, formerly known as PTO Form 1449, are enclosed herewith.

EXCEPT THAT:

- ☐ In view of the voluminous nature of Reference Citation ____, and the likelihood that this reference is available to the Examiner, a copy is not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) _____ for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ If the foregoing publication is not available to the Examiner, Applicants will endeavor to supply a copy at the Examiner's request.

Statement under 37 C.F.R. § 1.97(e)

- ☐ The undersigned attorney hereby states that each item information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Supplemental Information Disclosure Statement.

Statement under 37 C.F.R. § 1.704(d)

- ☐ The undersigned attorney hereby states that each item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of the Supplemental Information Disclosure Statement.

Fees

- ☒ No Fee is owed by the applicant(s).
- ☐ The Supplemental Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The Petition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

Method of Payment of Fees

- ☐ Attached is a check in the amount of \$_____. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

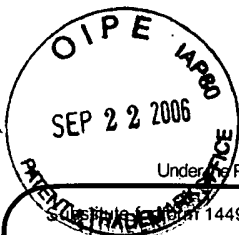
Respectfully submitted,



Michael A. Patané
Registration No. 42,982

Dated: September 22, 2006

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USPTO Form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/726168
Filing Date	12/02/2003
First Named Inventor	Magid A. Abou-Gharbia
Art Unit	1617
Examiner Name	Shengjun Wang
Attorney Docket Number	WYTH0107-100/AM100146US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Nakata et al., "Role of hippocampal serotonergic neurons in ischemic neuronal death," <i>Behavioural Brain Research</i> (1997) 83(1-2):217-220.	
	2	"Sources of Glutamate in Cerebral Ischemia," www.med.uio.no/imb/anatomi/gruppe_3/ischemia.htm , July 1995, p. 1-2	
	3	Prehn et al., "Effects of serotonergic drugs in experimental brain ischemia: evidence for a protective role of serotonin in cerebral ischemia" <i>Brain Research</i> (1993) 630(1-2):10-20	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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